



WHITE BLACK LEGAL

LEGAL

VOLUME 1: ISSUE 8

||January 2020 ||

Email: editor@whiteblacklegal.co.in

Website: www.whiteblacklegal.co.in

DISCLAIMER

No part of this publication may be reproduced or copied in any form by any means without prior written permission of Editor-in-chief of WhiteBlackLegal – The Law Journal. The Editorial Team of WhiteBlackLegal holds the copyright to all articles contributed to this publication. The views expressed in this publication are purely personal opinions of the authors and do not reflect the views of the Editorial Team of WhiteBlackLegal. Though all efforts are made to ensure the accuracy and correctness of the information published, White Black Legal shall not be responsible for any errors caused due to oversight or otherwise.

EDITORIAL TEAM

EDITOR IN CHIEF

Name - Mr. Varun Agrawal

Consultant || SUMEG FINANCIAL SERVICES PVT.LTD.

Phone - +91-9990670288

Email - whiteblacklegal@gmail.com

EDITOR

Name - Mr. Anand Agrawal

Consultant|| SUMEG FINANCIAL SERVICES PVT.LTD.

EDITOR (HONORARY)

Name – Smt.Surbhi Mittal

Manager || PSU

WHITE BLACK
LEGAL

EDITOR(HONORARY)

Name - Mr Praveen Mittal

Consultant || United Health Group MNC

EDITOR

Name - SmtSweety Jain

Consultant||SUMEG FINANCIAL SERVICES PVT.LTD.

EDITOR

Name - Mr. SiddharthDhawan

Core Team Member || Legal Education Awareness Foundation

ABOUT US

WHITE BLACK LEGAL is an open access, peer-reviewed and refereed journal provide dedicated to express views on topical legal issues, thereby generating a cross current of ideas on emerging matters. This platform shall also ignite the initiative and desire of young law students to contribute in the field of law. The erudite response of legal luminaries shall be solicited to enable readers to explore challenges that lie before law makers, lawyers and the society at large, in the event of the ever changing social, economic and technological scenario.

With this thought, we hereby present to you

WHITE BLACK LEGAL: THE LAW JOURNAL

A Study on Reformatory Approach in Puzhal Central Prison, Tamil Nadu

V. KARTHIKEYAN

Introduction

Prison is the system of punishment which will consist of convicts and suspected person in under trial. In the present scenario every society is packed with crime and criminal the institution of prison becomes an unavoidable one. In ancient India also there were a system of prison which is used to punish the people who act against the norms, rules and laws. During British Period the Indian penal code was enacted and the punishment was awarded to the wrongdoers; even several Indians were charged under Indian penal code for the freedom fight movement. The applicability of Indian penal code is also called as slavery code on that time. Even after Independence still now we have same penal act but the enforcement of the Indian penal code is more reformatory and rehabilitation the theory of reformatory is upgraded on Indian prisons. This paper is to bring out the existence of Prison reformation in the State of Tamil Nadu, Especially in Puzhal central prison.



Meaning of Prison

The word 'Prison' and 'Gaol' derive from the Latin words which mean respectively to 'seize' and 'cage'. The Oxford English Dictionary (2007) defines prison as, "A place properly arranged and equipped for the reception of persons who by legal process are committed to it for safe custody while awaiting trial or punishment."¹

Donald Taft commented that prisons are deliberately so planned as to provide unpleasant compulsory isolation from society. A prison according to him characterizes rigid discipline, provision of bare necessities, strict security arrangements and monotonous routine life. Life inside the prison necessarily presupposes certain restrictions on the liberty of inmates against their free will.²

¹ https://shodhganga.inflibnet.ac.in/bitstream/10603/9372/11/11_chapter%201.pdf

² <http://www.grkarelawlibrary.yolasite.com/resources/FM-Jul14-LSC-Koustubh.pdf>

Puzhal Central Prison

Prisons are an essential part of the criminal justice system. The twin objectives of the prison department are reformation and rehabilitation of the prisoners to reintegrate them with the society after their release and control recidivism. Accordingly the State of Tamilnadu has been adding to the infrastructure in prisons and the modern prison complex at Puzhal which is the biggest prison complex in South Asia opened on 26.11.2006.³ The state government and the prison department as took some of the necessary steps towards reformation of the prisoners even though it is department of expenditure the government should focus on it because it is the main source of the criminal justice system to make or to change an offender to normal man.

Education

The Prisoners are provided elementary education through qualified Secondary Grade Teachers in the Prison School. Non-formal adult education is also imparted to the illiterate Prisoners so that they can read and write. Distance educational facilities are given to the prisoners at government cost. The Indira Gandhi National Open University is conducting the following courses:

1. Certificate course in food and nutrition
2. Bachelor's preparatory program
3. Certificate course in computers
4. Master of Business Administration
5. Master of Computer Application

The Manonmaniam Sundaranar University is offering undergraduate and postgraduate courses exclusively for the prisoners in the central prison. Madras, Madurai Kamaraj, Bharathiar and Bharathidasan Universities conducted distance education programme the courses will adopt the syllabus prescribed under the Open University system. Certified computer training course is also imparted to the Prisoners by N.G.O's.

³ Policy note on demand no.24 PRISONS (HOME, PROHIBITION AND EXCISE DEPARTMENT)

Examination for prisoners

The prison administration is focusing on the prisoner's education as it makes the prisoners to continue it study from the prison. Prisoners under the Tamilnadu are able to write the public examination such as 10th and 12th and degree exams too.

1. 85 prisoners were passed in 10th in the year of 2016,
2. 78 prisoners were passed in 12th in the year of 2016.

Library

In every prison there is one library with books of moral & educative value for the use of Prisoners. Books are also borrowed from the District library on loan basis.

A prisoner may also receive books during Interview or by post subject to censorship and they may keep 3 books at a time.

Moral Education

The Administration of prisons is accorded utmost priority by Government. Concerted efforts are taken to improve the all round welfare measures of prisoners and basic infrastructure facilities. While strengthening the safety and security of Prisons, administrative changes are being made in Prisons. The principles of correctional administration are imbibed by Prison Department so as to provide for reformation and rehabilitation in the system. So that the prisoners should be reformed with moral and social knowledge

Welfare officers look after the welfare of the prisoners. Psychologist and Social case work expert are there to help the prisoners. Cultural committee looks after the entertainment programme of the prisoners. Prisoners' Canteen is functioning in each Central Prison. Yoga and Meditation classes are conducted regularly by various non-governmental organizations. Films of moral and educative value are shown. Radio and TV Sets have been provided in blocks for the entertainment of prisoners. Music and games are also provided for the recreation of the Prisoners.

Yoga and Meditation

In order to transform the lives of Prisoners Yoga and Meditation classes and Counselling are conducted regularly by various NGO's in the Prison. Various NGO's involved are as follows

1. Vipassana Meditation Maavuthan Seva Samithi, Vepery, Chennai,
2. Brahma Kumaris, Chennai
3. Viyakthi Vikas Kendra, Chennai

Counseling :

1. Banyan, 6th Main Road, Mogapair Eri Scheme Mogapair West, Chennai.37.
2. Guild of Service (Central) Family Counseling Centre, No.18,(Old No.28) Casa Major Road, Egmore, Chennai.8.

Gardening

Puzhal prison as the wide area as its campus by making the use of it the department has taken the steps to make it out green by that way the prisoners are involved in gardening the campus, as result it was changed into a farming place. And a farm with a name of “amma thotam” has been formed and some vegetables and flower plants are been cultivated and those vegetables and flower plants are been sold out by the outlets of prison bazaar.

Prison industries

To inculcate work habit to prisoners various trades and industries have been introduced in prisons. Training is imparted in simple trades like brick making, plumbing, sign board writing, electrical wiring, weaving, book binding, tailoring, tags making, wax, shoes, phenyl, tapes, soaps, cumbly, flat file making etc. to enable them to take up self employment after their release. On completion of the training, certificates are issued by the state council for vocational education and training.

Prison department has been declared as "Service Department". The Prison Department manufactures and supplies articles to various Government Departments free of cost. The average production of the prison industrial units for the last 4 years works out to about Rs.4 cores per annum. Prisoners are paid wages at the rates given below:

1. Skilled - Rs. 100.00 / per day
2. Semiskilled - Rs. 80.00 / per day
3. Unskilled - Rs. 60.00 / per day

Out of the wages earned by prisoners 50% deducted for their maintenance of upkeep, 20 % is deducted for the Victim Compensation Fund and 30 % of wages are credited in to the prisoners account.

Industries in Puzhal Central Prison are,

1. Bakery unit,
2. Sealing Wax,
3. Led blubs,
4. Paper works,
5. Tag Making and
6. Weaving.



Training in simple trades

The object of vocational training to the Prisoners is reformation and rehabilitation and with this object training in various simple trades like plumbing, simple electrical wiring, painting including sign board writing, brick making are conducted and prisoners are awarded with certificates by State Council Vocational Training to enable them to seek employment after their release.

"FREEDOM" An outlet of the PRISON BAZAAR

Central prisons in Tamil Nadu are set to become factories with the State government by establishing Prison Bazaar. The ambitious project aims at enhancing the variety, quality and quantity of prison products and making them available in the retail market. With Freedom as its brand name, the prison products will deviate from the conventional practice of catering to government departments and enter the open market.

According to prison sources, qualified trainers have been identified to expose the inmates to the use of modern technology in the manufacturing industry. While competing in the market, the Freedom brand is expected to have an edge in terms of pricing even as prison authorities maintain there will be no compromise on quality. The prison industry extends to nine central prisons, three special prisons for women and nine district jails across the State where approximately 11,000 inmates are lodged.

The bazaars were expected to use efficient marketing strategies and best commercial practices to ensure that the pricing was on a par with similar products being sold in retail outlets. The system was not only aimed at creating skilled manpower in the prisons that would enable the prisoners lead a life of dignity after their release, but also assuring them of an income from the sale of products while serving the sentence.

A bakery unit is established in Central Prison-I, Puzhal at a cost of Rs. 45.00 Lakhs. Bakery products such as Bread, Bun, Cookies etc., are prepared by the prisoners in this unit and supplied to the Prisons and sold to the public at a nominal rate in the Prison Bazaars. Handmade Paper Units are being established in all Central Prisons at a cost of Rs. 90.00 lakhs.

Outlets of “Prison Bazaar” in Chennai are,

1. Prison Bazaar, Central Prison Puzhal, Chennai.
2. Prison Bazaar, Prison Head Quarters Egmore, Chennai.
3. Prison Bazaar, Sub - Jail, Saidapet, Chennai.

Amenities in Puzhal central prison

Model Prison complex- Puzhal

Keeping in view of severe overcrowding in Central Prison, Chennai and the need for increasing the capacity, new prison complex at Puzhal was constructed at a total cost of Rs.77 crores. It consists of three prisons viz. Central Prison I Puzhal with a capacity of 1250, for accommodating convict prisoners, Central Prison II Puzhal with a capacity of 1250, for accommodating remand prisoners and Special Prison for Women Puzhal with a capacity of 500 for accommodating women prisoners. The prison complex is situated in a sprawling area of about 212 acres. The construction works were carried out by the Tamil Nadu Police Housing Corporation Ltd. The prison starts functioning from 26.11.2006 onwards. Additional facilities such as Meditation Hall, Rehabilitation Centre, Open Air Theatre, Gymnasium, Computer training Centre has been provided. Apart from the above all cells, blocks and hospitals of this prisons are provided with ceiling fans.

Diet

Good food prepared under hygienic conditions is supplied to the prisoners as per the scale prescribed in Tamil Nadu Prisons Rules. Items like milk, bread, egg etc., are given to the prisoners as medical diet to the sick prisoners on the recommendation of the Prison Medical officer. Prisoners with non-vegetarian food habit are supplied with chicken once in a week and prisoners with vegetarian food habits are supplied with potato curry, kesari and one banana once a week. Stainless steel plates and mugs are provided to prisoners for their personal use. Stainless Steel cooking vessels and Trolleys are used in prisons to ensure better health and hygienic conditions. Food from outside is not permitted.

Telephone Facility to Prisoners

In the Interest of Welfare of prisoners and to discourage them from clandestine use of mobile phones inside the prison, the Government have introduced telephone

facility to prisoners within the country subject to certain security considerations. Accordingly, 54 numbers of telephone booths in all Central Prisons and Special Prison for Women and Borstal School, Pudukottai were installed. The scheme was inaugurated by the Hon'ble Chief Minister of Tamil Nadu on 09.12.2013 and came in to operation on that day itself. As it is the one the most reformatory activity for prisoners. They can be in touch with their family members by the way of telephone as it shows the modern development. By this scheme prisoners can speak with their family members once in twice in a month.

Medical Care to Prisoners

Every Central Prison is having a 50 bedded hospital fully equipped with all kinds of medicines, and apparatus like X-Ray, ECG machines, Automatic blood Analyser, etc. to provide effective medical care to the prisoners at all times and only during emergency, they are referred to the outside hospital for specialised treatment. The Prison hospital is manned by two Civil Assistant Surgeons with the supporting para-medical staff. Various specialists from the Government Hospital also visit the Prison frequently.

The Health Camp under "Varumun Kappom Thittam" is conducted in Prisons to screen the prisoners and give the required medical treatment to the prisoners afflicted by various diseases.

Sanitation and Water Supply

Pure drinking water is provided to the prisoners which are frequently tested by the King Institute, Guindy. Any defects pointed out are rectified then and there. In all Central Prisons, a good standard of sanitation is maintained by the Prison department officials. Adequate flush-out latrines and bathrooms are provided with sufficient water. Sweepers are also made available for keeping the Prison premises neat and tidy. The District Health Officer, the Corporation Health Officer or the Municipal Health Officer also inspect the system at least once in a month. As the prison is situated near puzhal lake there is no words of water scarcity.

Prisoners Adalat

The establishment of Prisoners' Adalat in the Prisons of this State is the first of its kind in the country. The main aim of this type of Court which is functioning within the

prison premises is to render quick justice to the prisoners through speedy disposal of their cases and also to provide easy access to the Presiding Officers of the Court to get their case solved without many difficulties. The Prisoners' Adalat is functioning in all the Central Prisons.

Legal Aid

Legal Aid Cell established by the Tamil Nadu State Legal Services Authority is functioning in each Prison to provide legal assistance to the needy prisoners. Prisoners are liberty to nominate lawyers of their choice to defend their cases.⁴

Conclusion

Puzhal prison is the only prison in Tamil Nadu which consists of two separate prisons for convict prisoners and the under trial prisoners; the capacity of convict prison is about 1250. But, the inmates present in it are 750 only. The under trial prison space provided for the prisoners is 1250 but it accommodated with 1858 number of prisoners, as it clearly shows the prison is overcrowded, Which leads to insufficient sanitization, water supply, food and accommodation. The reformative of the prisoners is not fully satisfied by these overall methods. As there were several amenities has been implemented for the benefit of the prisoners to change their life and mind, the outcome of it is not that much effective as which may require much more contribution from the government, prison management and even by the prisoners towards reformation.

⁴ <http://117.239.70.76/amenities.htm>